

Status: Point in time view as at 01/02/2000.

Changes to legislation: Harbours Act 1964, Cross Heading: The order is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3

PROCEDURE FOR MAKING HARBOUR REVISION AND EMPOWERMENT ORDERS

Textual Amendments

- F1** Sch. 3 substituted (1.2.2000) by [The Harbour Works \(Environmental Impact Assessment\) Regulations 1999 \(S.I. 1999/3445\)](#), reg. 15(4), **Sch. 3**

Modifications etc. (not altering text)

- C1** Sch. 3 modified (1.4.2001) by [2000 c. 38, s. 37, Sch. 5 para. 1\(2\)\(j\)](#) (with s. 106); [S.I. 2001/869, art.2](#)

PART I

ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

The order

- 21 (1) Where the Secretary of State proposes to make the order applied for with modifications which appear to him substantially to affect the character of the order he—
- (a) shall take such steps as appear to him to be sufficient and reasonably practicable for informing the applicant and other persons likely to be concerned, and
 - (b) shall not make the order until such period for consideration of, and comment upon, the proposed modifications by the applicant and those other persons as he thinks reasonable has expired.
- (2) The Secretary of State shall not make the order with a modification authorising the compulsory acquisition of land that was not described in the draft submitted to him as land subject to be acquired compulsorily, unless all persons interested consent.
- 22 (1) This paragraph applies where the Secretary of State makes an order which authorises the compulsory purchase of land and is—
- (a) a harbour revision order relating to a harbour in England or Wales, or
 - (b) a harbour empowerment order relating to a harbour or to works to be carried out in England or Wales.
- (2) The order shall be subject to special parliamentary procedure to the same extent as it would be, by virtue of section 18 or 19 of the Acquisition of Land Act 1981 or paragraph 5 or 6 of Schedule 3 to that Act (National Trust land, commons etc), if it were an order under section 2(1) of that Act.
- 23 (1) This paragraph applies to—
- (a) a harbour revision order relating to a harbour in Scotland, or

Status: Point in time view as at 01/02/2000.

Changes to legislation: Harbours Act 1964, Cross Heading: The order is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) a harbour empowerment order relating to a harbour or to works to be carried out in Scotland,
where the order authorises the compulsory purchase of land.
- (2) The order shall be subject to special parliamentary procedure to the same extent as it would be, by virtue of section 1(2)(b) of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (land forming part of a common or open space or held inalienably by the National Trust for Scotland) if it were an order under section 1(1) of that Act.
- 24 (1) As soon as possible after a harbour revision order has been made, the applicant shall—
- (a) publish a notice by Gazette and local advertisement,
 - (b) serve on the harbour authority (unless the applicant is the harbour authority) a copy of the order and a copy of any map annexed to it,
 - (c) serve a copy of the order and of any map annexed to it on each local authority on whom, in compliance with a requirement imposed by virtue of paragraph 12, a notice was served, and
 - (d) serve a copy of the order and of any map annexed to it on each person on whom, in compliance with a requirement imposed by virtue of paragraph 14, a copy of the draft order was served.
- (2) The notice mentioned in sub-paragraph (1)(a) must—
- (a) state that the order has been made,
 - (b) name a place where a copy of the order and any map annexed to it may be inspected at all reasonable hours, and
 - (c) state, in the case of an order which is not subject to special parliamentary procedure, the date on which it comes into operation.]

Status:

Point in time view as at 01/02/2000.

Changes to legislation:

Harbours Act 1964, Cross Heading: The order is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.